

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLETE REO HART,

Plaintiff, No. CIV S-05-0671 LKK GGH P

VS.

DIRECTOR OF HUMAN RESOURCES
CALIFORNIA MEDICAL FACILITY, et al.,

Defendants. FINDINGS & RECOMMENDATIONS

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By order filed April 18, 2006, the court granted plaintiff thirty days to file a second amended complaint. In the April 18th order, the court informed plaintiff of the deficiencies in his amended complaint. The thirty day period has now expired, and plaintiff has not filed a second amended complaint or otherwise responded to the court's order.

For the reasons given in the April 18, 2006, order, IT IS HEREBY

RECOMMENDED that this action be dismissed without prejudice. See Local Rule 11-110; Fed. R. Civ. P. 41(b).

These findings and recommendations are submitted to the United States District

Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within twenty days after being served with these findings and recommendations, plaintiff may file

1 written objections with the court. The document should be captioned "Objections to Magistrate
2 Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections
3 within the specified time may waive the right to appeal the District Court's order.

4 DATED: 7/12/06

5 /s/ Gregory G. Hollows

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 GREGORY G. HOLLOWS
7 UNITED STATES MAGISTRATE JUDGE
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